

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: SAC#2010-00295-2IR

30 March 2010

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), the South Carolina Coastal Zone Management Act (48-39-10 et seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

FAIRLAWN BARONY IMPROVEMENT ASSOCIATION
C/O MR. ED INFINGER
1619 DENNIS BOULEVARD
MONCKS CORNER, SOUTH CAROLINA 29461

for a permit to perform excavation and to construct a community boat ramp, pier and floating dock in waters of the

COOPER RIVER

At a location adjacent to the end of Coleman Road in the Fairlawn Barony Subdivision, Town of Moncks Corner, Berkeley County, South Carolina (Latitude 33.185501; Longitude: - 79.971195).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

NOTE: This project was previously advertised as PN# 2004-1W-345, but was withdrawn by the applicant pending resolution of ownership concerns. Those concerns have been resolved and the project is now being re-advertised. There are no changes to the previous project.

The proposed work consists of performing excavation in a 0.05 acre area to remove approximately 230 cubic yards of material using a track hoe or backhoe and temporarily placing this material in an area above MHW as shown on sheet 3 of 5 for dewatering. This excavated material will be surrounded by silt fencing and later trucked to an upland disposal site. The project also includes the placement of 17 cubic yards of concrete for the construction of a 12' x 75' community boat ramp. In addition, a community pier and floating dock will be constructed, consisting of a 4' x 60' walkway leading to a 16' x 16' covered pierhead with a 3' x 16' ramp leading to an 8' x 30' floating dock located on the landward side of the pierhead as shown on sheet 3 of 5. In order to prevent public use, a gate will be installed with access by subdivision lot owners who have obtained a key for access. To prevent parking on adjacent streets, limited, temporary parking will be provided at the west end of Coleman Road as shown on sheet 5 of 5. However, users of the community area will be required to take their vehicles back to their own property, and return to the community area via golf cart, bicycle, walking, or other means that will not require parking on adjacent streets. The purpose of the project is to provide the Community of Fairlawn Property Owners access to the Cooper River.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. This activity may also require evaluation for compliance with the S.C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S.C. Department of Health and Environmental Control. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification or the navigable waters permit must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.05 acre of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for

written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

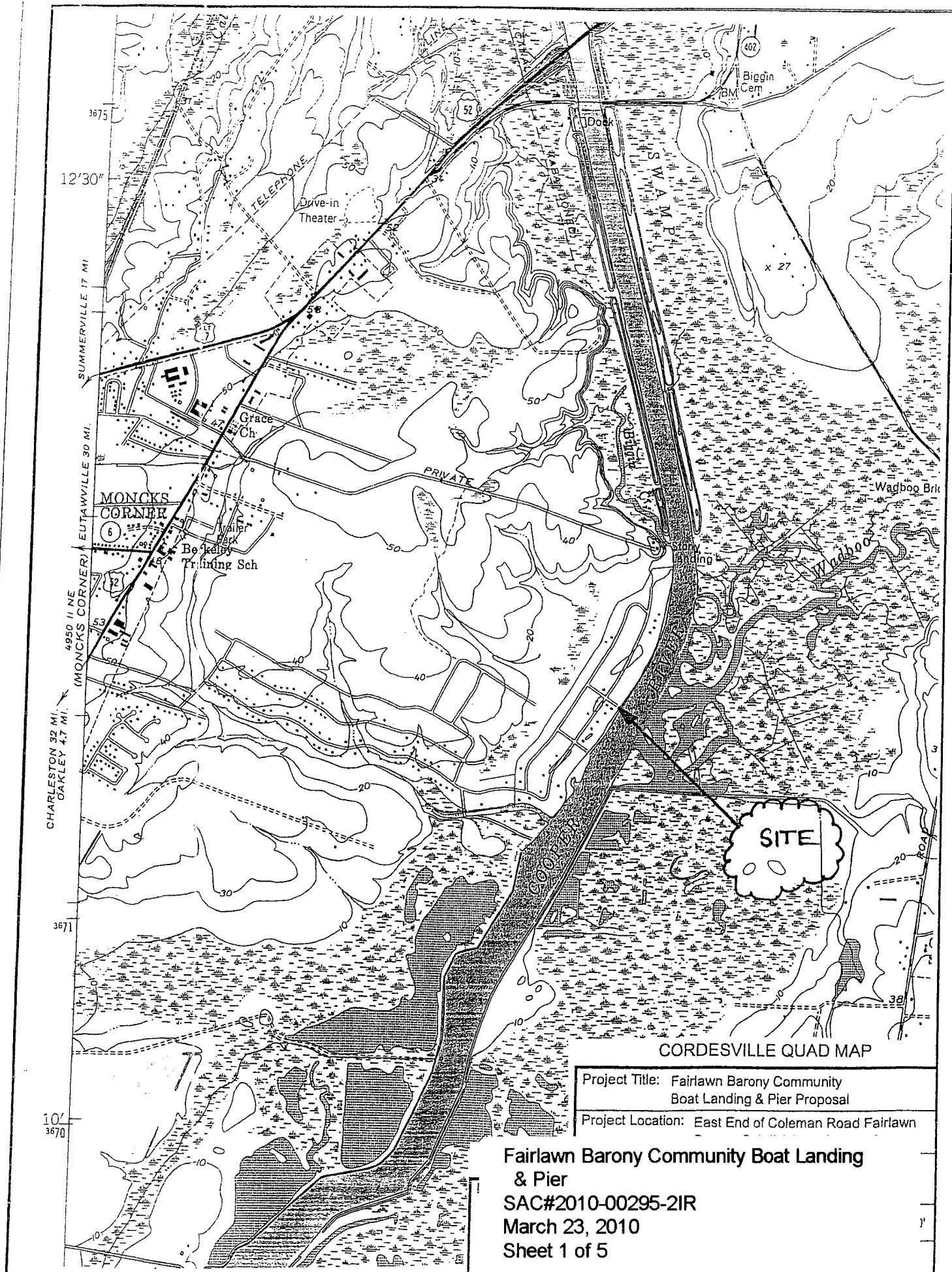
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

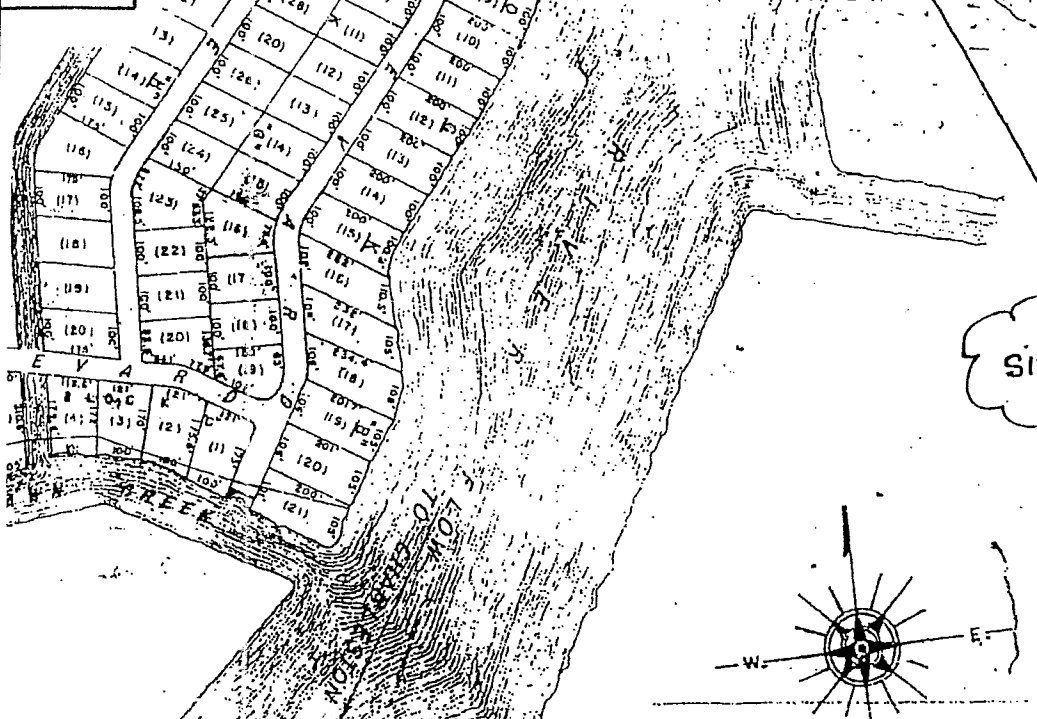
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Robin Coller-Socha at 843-329-8044 or toll free at 1-866-329-8187.

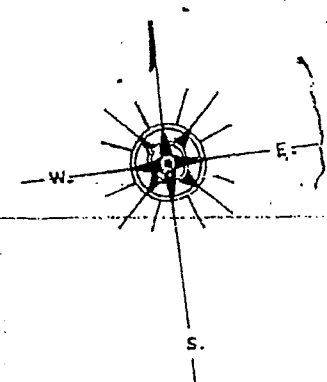


Project Title: Fairlawn Barony Community Boat Landing & Pier Proposal	
Project Location: East End of Coleman Road Fairlawn Barony Subdivision, Moncks Corner	
Applicant: Cedar Island Improvement Association	
Date: August 25th, 2004	Scale: NONE
Application #:	Sheet 2 of 5

Revisions	Date	Initials



SITE LOCATION



RECEIVED & RECORDED
 NOV 4 1985
 C. N. Clarke
 CLERK OF COURT
 BERKELEY COUNTY, S. C.

Fairlawn Barony Community Boat Landing
 & Pier
 SAC#2010-00295-2IR
 March 23, 2010
 Sheet 2 of 5

F A I R L A W N - B A R O N Y

MONCK'S CORNER, BERKELEY COUNTY, S. C.

MARCH 15 1985

SCALE 1" = 200'

SURVEYED BY

E. D. Davis
 REG. NO. 830 R. L. S.

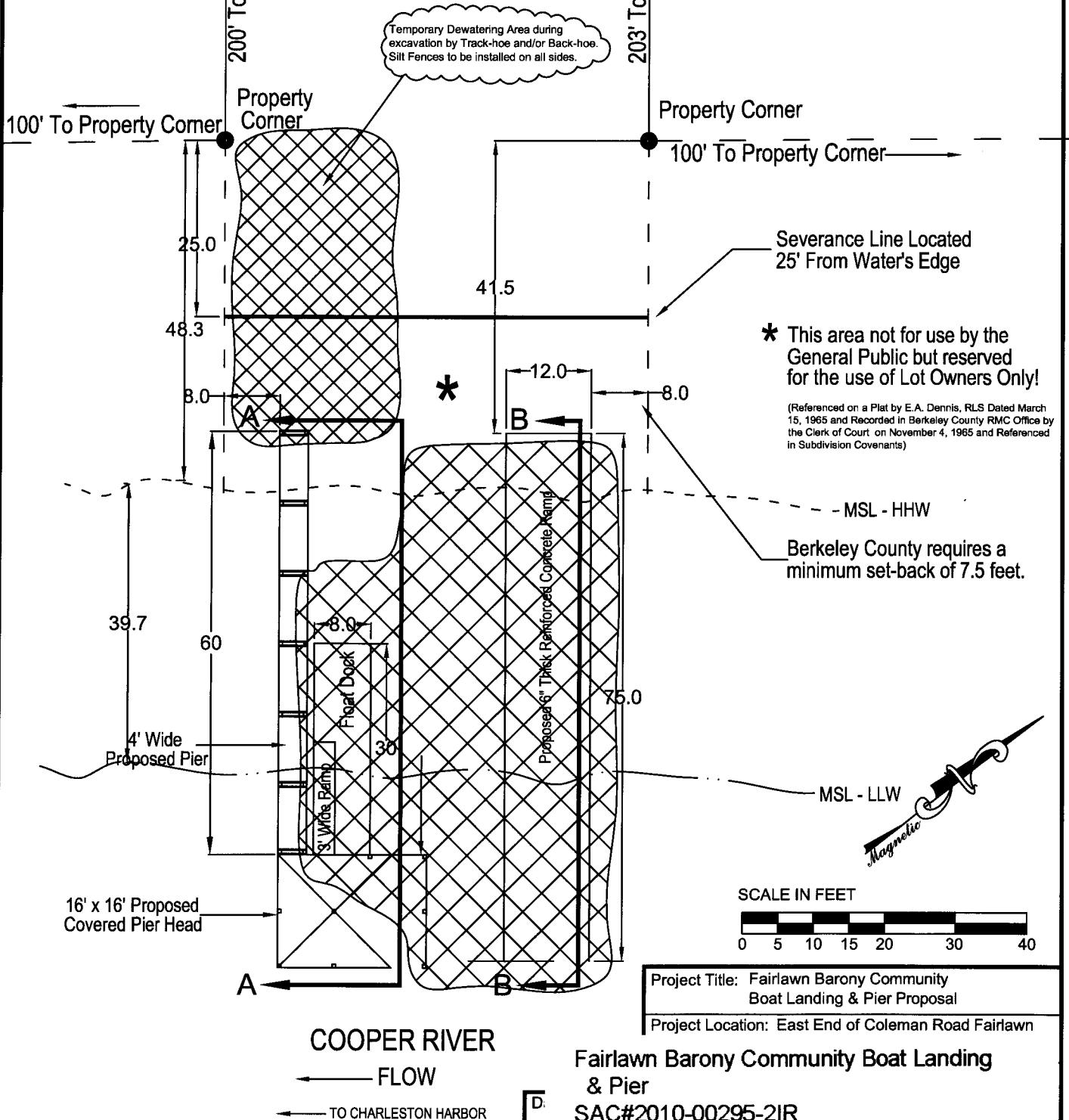
LEGEND

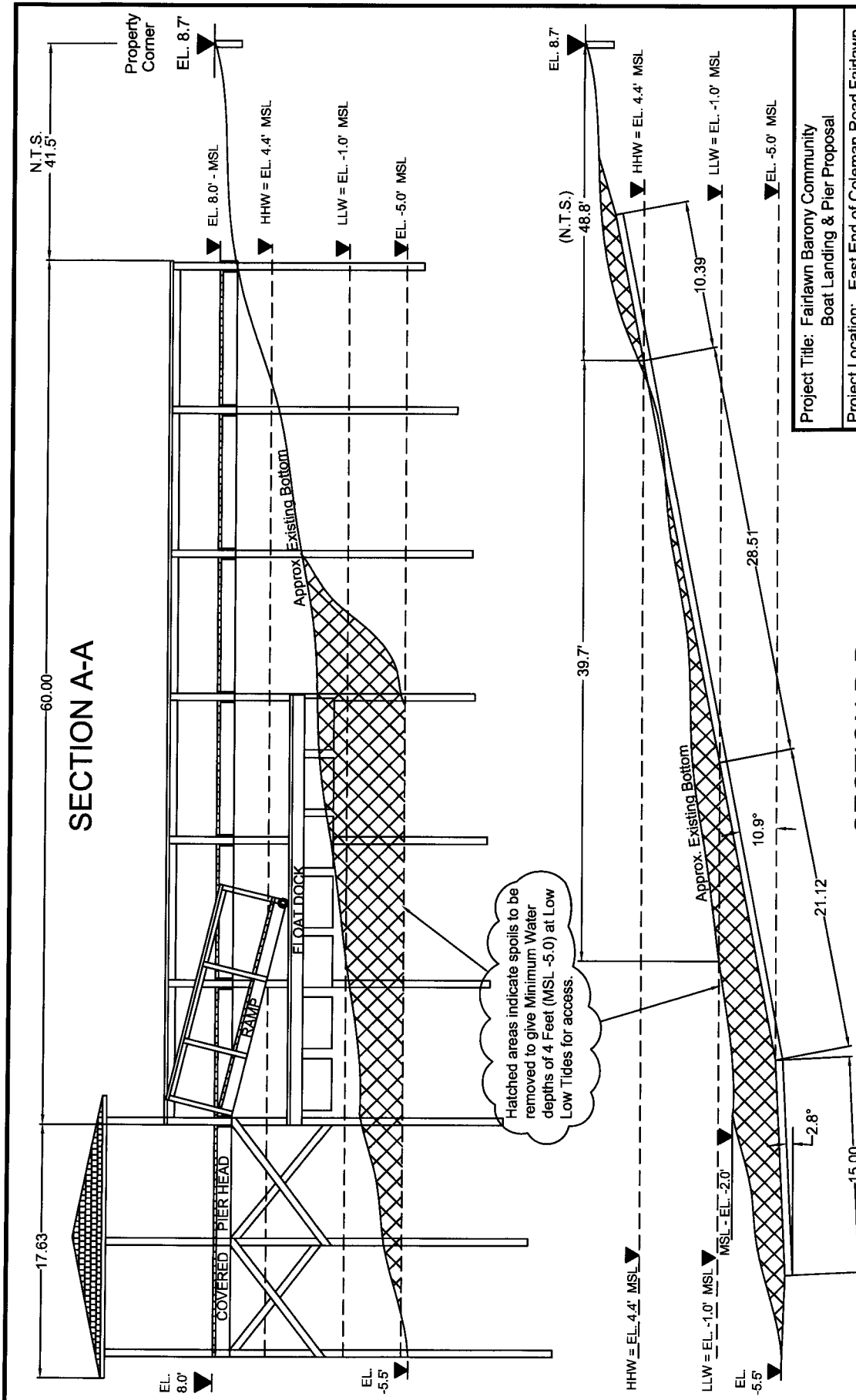
- * These Areas not for the use of the General Public but Reserved to the use of the Lot Owners only
- Severance Line of these Areas located Twenty Five (25) from Waters edge

Delancy A. Jr. &
Winifred C. Chaplin
TMS# 143-10-01-004
1538 Dennis Blvd.
LOT 1, Block "B"

Fairlawn Barony
Improvement Association
TMS# 143-10-01-050

Cohen Gaskins Jr.
TMS# 143-10-01-005
LOT 1, Block "A"





Project Title: Fairlawn Barony Community Boat Landing & Pier Proposal

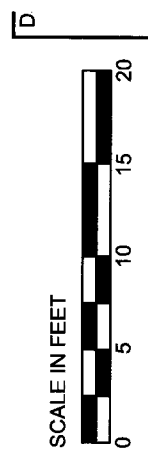
Project Location: East End of Coleman Road Fairlawn

Fairlawn Barony Community Boat Landing & Pier

SAC#2010-00295-2IR

March 23, 2010

Sheet 4 of 5

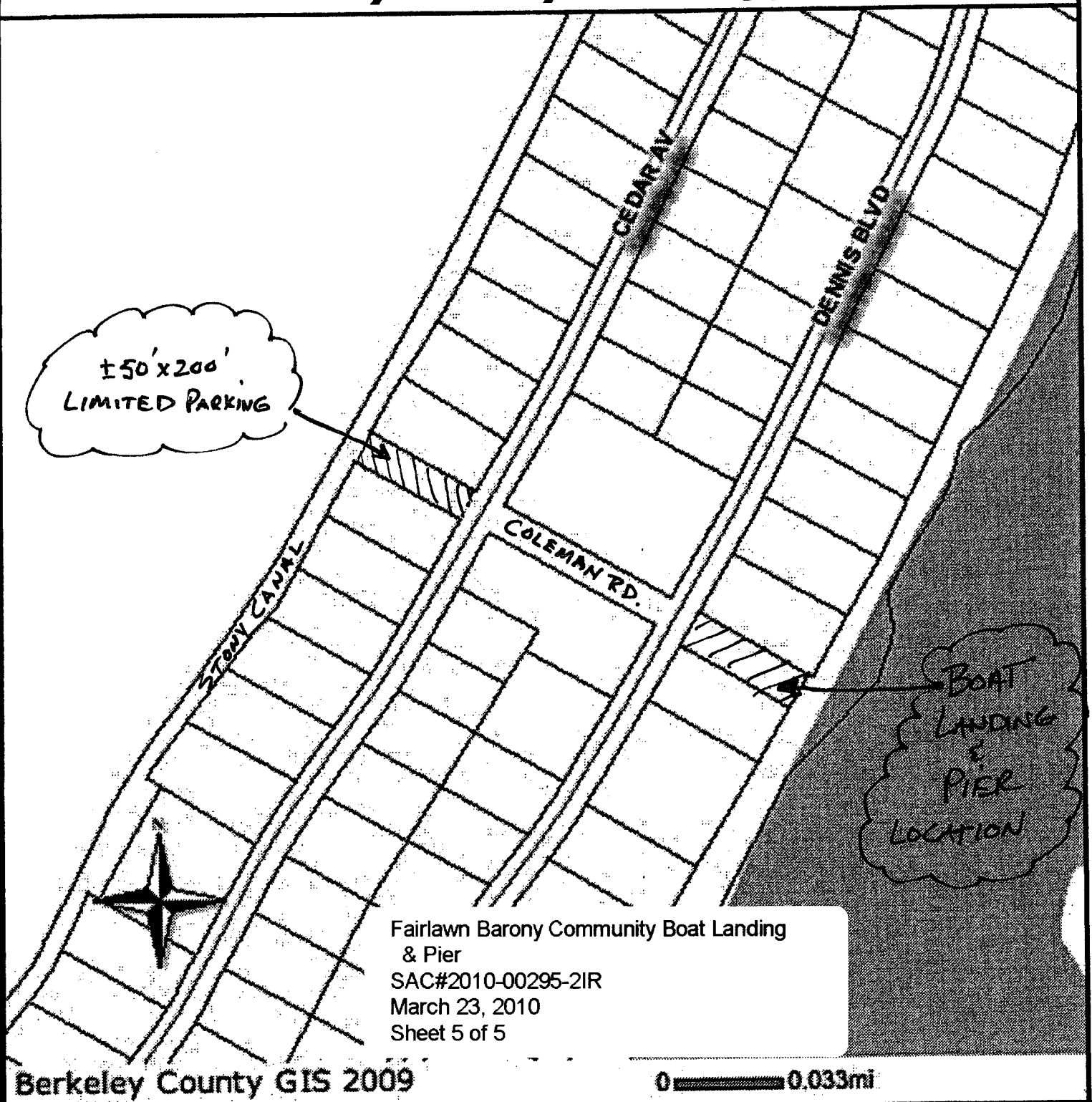


NOTE: Approximately 230 cubic yards of material to be excavated and deposited on a high ground disposal site.

NOTE: Concrete ramp to have a minimum thickness of 6 inches and reinforced with minimum #4 rebar on 9 inch centers. (Total Concrete Volume = 17 CY).

NOTE: ALL ELEVATIONS BASED ON VERTICAL DATUM NGVD 1929.

Berkeley County GIS Mapping



The county of Berkeley and its GIS Department disclaims accountability for this product and any implied concerning the accuracy thereof. Responsibility for interpretation and application of the